

POLICY OR PRECEDENT
(XVIII Abn Corps and Ft Bragg Memo 25-50)

1. SUBJECT Prevention of Alcohol related Crimes, Accidents, Fatalities and Civil Disturbances		2. MASTER POLICY NO. JA-05-01
3. ORIGINATOR AFVC-JA	4. PHONE NUMBER 432-0184	5. DATE ESTABLISHED 20/10/05
6. SYNOPSIS: (if more space is needed, use reverse side.) <p>1. PURPOSE: As the leadership of the 82nd Airborne Division we are committed to decreasing alcohol related crimes, accidents, fatalities and civil disturbances. This policy outlines the safety, education and punitive measures available to commanders and leaders at all levels to ensure the safety of all Paratroopers. This policy supersedes Master Policy JA-04-05, dated 1 Nov 04.</p> <p>2. COMMANDERS' AND LEADERS' RESPONSIBILITIES: All leaders will conduct detailed safety briefings and education on the effects of alcohol and the consequences of alcohol abuse and alcohol related misconduct. These briefings will include guidance on the dangers of driving while under the influence of alcohol and the negative impact that alcohol related crimes, accidents, fatalities, and civil disturbances have on the Division's readiness and morale. All leaders will also ensure that their Paratroopers carry DUI cards that include telephone numbers for the unit and taxis and that there is a functioning program in their unit to ensure that Paratroopers know who to call for immediate assistance.</p> <p>3. PARATROOPER DUTIES: When drinking alcohol, Paratroopers will not engage in any activity which is prejudicial to good order and discipline, or of a nature to bring discredit upon the Armed Forces and the 82nd Airborne Division. Every Paratrooper has a duty to make sure that a fellow Paratrooper does not endanger his or her own life and the lives of other Paratroopers, military and civilian personnel, by operating a motor vehicle when visibly intoxicated. Every Paratrooper will also carry a DUI card with them at all times, especially when in a situation where alcohol may be consumed.</p> <p>4. HANDLING ALCOHOL-RELATED MISCONDUCT: Commanders can take UCMJ action for misconduct associated with a DUI incident even though they do not have jurisdiction to punish a Paratrooper under the UCMJ for the DUI itself; unless properly requested and approved as outlined below. Contact your trial counsel to discuss how to handle all alcohol-related misconduct, DUI offenses, and requests for jurisdiction.</p> <p style="padding-left: 40px;">a. OFF-POST AND ON-POST ALCOHOL-RELATED MISCONDUCT: If a Paratrooper's conduct, apart from the DUI itself, is prejudicial to good order and discipline or is of a nature to bring discredit upon the Armed Forces and the 82nd Airborne Division, he or she can face disciplinary action under the UCMJ for that particular misconduct.</p> <p style="padding-left: 40px;">b. OFF-POST DUI OFFENSES: If a commander or leader wants to punish a Paratrooper for an off-post DUI offense, a request to impose non-judicial punishment or prosecute by court-martial must come from the Special Court-Martial Convening Authority, through the Office of the Staff Judge Advocate, Criminal Law Division, to the CG, 82nd Abn Div. If the request is denied, a Paratrooper will not be punished for a violation of Article 111, UCMJ for DUI.</p>		
7. TYPE POLICY <div style="display: flex; align-items: center; margin-bottom: 10px;"> <input checked="checked" style="width: 30px; height: 30px; margin-right: 10px;" type="checkbox"/> NEW </div> <div style="display: flex; align-items: center; margin-bottom: 10px;"> <input style="width: 30px; height: 30px; margin-right: 10px;" type="checkbox"/> CHANGE </div> <div style="display: flex; align-items: center;"> <input style="width: 30px; height: 30px; margin-right: 10px;" type="checkbox"/> REVOCATION </div>	8. IDENTIFY POLICY AFFECTED 9. APPROVED: //original signed// WILLIAM B. CALDWELL IV, Major General, USA, Commanding	
10. DIRECTIVE ON WHICH BASED (Show date, subject, and origin.) 		
11. DISTRIBUTION A		12. DATE PUBLISHED 20/10/05

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c. ON-POST DUI OFFENSES: IAW Fort Bragg Regulation 190-5, on-post DUI offenses will be handled by the Federal Magistrate's Court. Request for jurisdiction over an on-post DUI offense must come from the Special Court-Martial Convening Authority, through the CG, 82nd Abn Div, to the CG, XVIII Abn Corps, and be processed by the Criminal Law Division, OSJA, 82nd Abn Div. If the request is denied, a Paratrooper will not be punished for a violation of the UCMJ, Article 111.

5. PARATROOPERS ARRESTED OR CITED FOR DUI OFFENSES: All commanders and leaders will, at a minimum, take the following measures when a Paratrooper is arrested or cited for DUI, whether on or off-post:

a. Recommend suspension or revocation of Installation driving privileges, if driving privileges have not already been suspended or revoked in conjunction with the arrest, by addressing the request through the chain of command and Division Provost Marshal to the Garrison Commander. XVIII Abn Corps and Fort Bragg Regulation 190-5, para. 2-1(a)(3) and XVIII Abn Corps and Fort Bragg Master Policy No. 18.

b. Ensure attendance, in Class A uniform, at the Drivers Improvement Training (DIT) on the first possible Saturday following the DUI offense. DIT is held in the Public Safety Business Center, Safety Division Classroom, Bldg 4-2843, Normandy Drive. The Chain of Command is required to inspect the Paratrooper that morning before his/her departure to the DIT and conduct an AAR with the Paratrooper that same day after completion of the DIT. The Paratrooper must also write a summary of lessons learned from DIT and how to preclude another incident in the future. XVIII Abn Corps and Fort Bragg Master Policy No. 18.

c. A chain of command recall will be initiated the morning immediately after the incident for the Paratrooper's Battalion and Company/Battery/Troop chain of command when charged with a DUI when the circumstances of the DUI incident bring discredit upon our Division or show a failure in safety awareness. The leadership will then assess whether the DUI is an isolated incident or if it is a unit level training failure that requires an immediate unit level recall for training.

6. INCENTIVES: Commanders are encouraged to implement incentive programs to reward their units for consecutive days without a DUI or alcohol related arrest. Incentives may include early release, a unit fun jump, an organizational day or a training holiday.